

REMARKS

In this Amendment, Applicant has cancelled Claims 1 – 16, 18 – 20 and 22 – 24, without prejudice or disclaimer, and amended Claims 17 and 21. Claims 17 and 21 have been amended to specify certain embodiment of the present invention and overcome the rejection. Claims 1 – 16, 18 – 20 and 22 – 24 have been cancelled as they drawn to non-elected invention and species. Applicant reserves the right to pursue the subject matter of the non-elected invention and species in a continuation application. It is respectfully submitted that no new matter has been introduced by the amendment. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

REJECTIONS UNDER 35 U.S.C. § 103:

Claims 17 and 21 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Fujinami et al. (US 5,510,902), hereinafter Fujinami, in view of Hong (US 5,493,338), hereinafter Hong.

Applicant traverses the rejection and respectfully submits that the embodiments of present-claimed invention are not obvious over Fujinami in view of Hong. More specifically, Claims 17 and 21 have been amended to claim that the moving picture is processed per frame, and the scanning type is set to interlace scanning when an average value of the motion activity per frame is equal to or larger than a predetermined value whereas to progressive scanning when it is smaller than the predetermined value, as disclosed on page 36, lines 24 to 33. The incoming interlaced moving picture and the progressive moving picture are switched for each frame in accordance with the set scanning types, as disclosed on page 36, lines 7 to 14.

Different from the embodiments of the present invention as amended, Fujinami discloses that the control circuit 43 detects the scanning mode information reproduced from the disk 8. If the information indicates progressive scanning, the reproduced video

signal is converted into a progressive video signal. In contrast, when the control circuit 43 does not detect the scanning mode information, the reproduced video signal is not subject to conversion (see column 11, lines 3 to 17).

The Examiner indicates that Fujinami does not explicitly disclose setting scanning type in accordance with motion activity, but alleges the disclosed MPEG-encoded source would have implied that motion information would necessarily be involved. However, it is respectfully submitted that, Fujinami uses the scanning mode information, not motion activity (see column 11, lines 3 to 17). Moreover, Fujinami does not disclose or teach an average value of the motion activity per frame which is compared with a predetermined value. Furthermore, Fujinami does not teach or disclose switching unconverted interlaced and converted progressive video signals. The video signal is processed under control by the control circuit 43 as either progressive video or interlaced video (no switching) and sent to the display unit 50 (see column 11, lines 7 – 11 and lines 15 – 17).

The interpolation system in Hong (Fig. 3B) judges a motion within the input image. However, there is no disclosure or teaching of an average value of the motion activity per frame that is compared with a predetermined value, and switching unconverted interlaced and converted progressive video signals. The interpolation system always converts interlaced images into progressive images, with no switching between the interlaced and progressive images.

In the embodiment of the present invention as amended, the interlaced moving picture is output as a combination interlaced and progressive moving pictures in unit of frame in accordance with the set scanning mode. In other words, an interlaced moving picture is output when an average value of the motion activity is equal to or larger than a predetermined value whereas a progressive moving picture is output when the average value is smaller than the predetermined value, which enhance picture quality (see specification page 43, lines 27 – 33).

On the contrary, Fujinami provides either progressive video or interlaced video (no combination), and Hong discloses progressive image only. Applicant respectfully

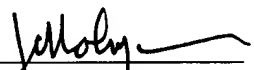
submits that there is no motivation to combine Fujinami with Hong. Even if they are combined, they will not render the present invention as mended obvious. Therefore, the newly presented claims are not obvious Fujinami in view of Hong. The rejection under 35 U.S.C. §103(a) has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

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